

### **REMARKS**

Claims 1-20 are now pending in the application. Claims 1, 2, 6, 8, 9, 11, 16, 18, and 19 are amended. Claims 7 and 17 are cancelled. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

#### **REJECTION UNDER 35 U.S.C. § 112**

The Examiner objects to claim 16 based on certain informalities. This objection is respectfully traversed.

The Examiner requires addition of the word "comprising" to the preamble of claim 16. Applicants have complied as requested. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the objection to claim 16.

#### **REJECTION UNDER 35 U.S.C. § 112**

Claims 7-9 and 20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

The Examiner requires precise change of various phrases in the claims to correct antecedent basis issues. Applicants' have complied as requested, and have also corrected a similar issue in claim 19. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejections under 35 U.S.C. § 112, second paragraph.

### **OBVIOUSNESS TYPE DOUBLE PATENTING REJECTION**

Claims 6, 7, 16, and 17 stand rejected under obviousness-type double patenting rejection over claims 1 and 7 of Kacel (U.S. Pat. No. 6,687,587). This rejection is respectfully traversed.

As further explained below with respect to rejection under 35 U.S.C. 102(e), independent claims 6 and 16, as amended, recite subject matter not anticipated by Kacel. Also, claims 7 and 17 are cancelled. Thus, Applicants believe the obviousness-type double patenting rejection has been rendered moot. Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claims 6, 7, 16, and 17 under obviousness-type double patenting rejection.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 6, 7, 10, 16, 17, and 20 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Razavi et al. (U.S. Pat. No. 6,370,449). This rejection is respectfully traversed.

Razavi et al. is generally directed toward an upgradeable vehicle component architecture. In particular, the Examiner relies on Razavi to teach a vehicle having an installed network of addressable network devices that can be upgraded by an internet service provider sending software updates, or can offload system diagnostics to the service provider. However, Razavi et al. does not teach an adapter having a control area network controller in communication with a wireless data exchange mechanism, wherein the adapter is configured to temporarily provide connectivity between the wireless data exchange mechanism and multiple processors of a vehicle by temporarily

connecting the controller adjacent to the multiple processors via an alternative communications port.

Applicants' claimed invention is generally directed toward loading vehicle operation software and calibration data in general assembly and service environments. In particular, Applicants' claimed invention is directed toward an adapter having a control area network controller in communication with a wireless data exchange mechanism, wherein the adapter is configured to temporarily provide connectivity between the wireless data exchange mechanism and multiple processors of a vehicle by temporarily connecting the controller adjacent to the multiple processors via an alternative communications port. For example, independent claim 6, as amended, recites, "an adapter having a control area network controller in communication with said wireless data exchange mechanism, said adapter configured to temporarily provide connectivity between said wireless data exchange mechanism and the multiple processors by temporarily connecting said controller adjacent to the multiple processors via an alternative communications port." Independent claim 16, as amended, recites similar subject matter. Thus, Razavi does not teach all of the limitations of the independent claims.

Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of independent claims 6 and 16 under 35 U.S.C. 102(b), along with rejection on these grounds of all claims dependent therefrom.

Claims 6, 7, 10, 16, 17, and 20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kacel (U.S. Pat. No. 6,687,587). This rejection is respectfully traversed.

Kacel is generally directed toward managing vehicle control modules through telematics. In particular, the Examiner relies on Kacel to teach a telematics module on a vehicle that can receive and install software upgrades received from an external processor in response to commands from the external processor. However, Kacel does not teach an adapter having a control area network controller in communication with a wireless data exchange mechanism, wherein the adapter is configured to temporarily provide connectivity between the wireless data exchange mechanism and multiple processors of a vehicle by temporarily connecting the controller adjacent to the multiple processors via an alternative communications port.

Applicants' claimed invention is generally directed toward loading vehicle operation software and calibration data in general assembly and service environments. In particular, Applicants' claimed invention is directed toward an adapter having a control area network controller in communication with a wireless data exchange mechanism, wherein the adapter is configured to temporarily provide connectivity between the wireless data exchange mechanism and multiple processors of a vehicle by temporarily connecting the controller adjacent to the multiple processors via an alternative communications port. For example, independent claim 6, as amended, recites, "an adapter having a control area network controller in communication with said wireless data exchange mechanism, said adapter configured to temporarily provide connectivity between said wireless data exchange mechanism and the multiple processors by temporarily connecting said controller adjacent to the multiple processors via an alternative communications port." Independent claim 16, as amended, recites

similar subject matter. Thus, Kacel does not teach all of the limitations of the independent claims.

Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of independent claims 6 and 16 under 35 U.S.C. § 102(e), along with rejection on these grounds of all claims dependent therefrom.

Claims 1-5 and 11-15 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Knight et al. (2003/0163587). This rejection is respectfully traversed.

Knight et al. is generally directed toward a vehicle communications network adapter. In particular, the Examiner relies on Knight et al. to teach an adapter having a CAN controller and USB interface controller that can connect vehicle processors to USB devices. However, Knight's USB devices that exchange data with vehicle processors are required to have onboard processors that command the vehicle processors throughout data exchange. A mere memory device, such as a USB flash disk, would not have its data automatically loaded by the vehicle processors of Knight. Thus, Knight does not teach that an interface processor is adapted to automatically recognize a portable memory device upon connection of the memory device to the second communications port, wherein the multiple processors are adapted to automatically load vehicle software from the memory device in response to the automatic recognition, and to write non-request data to the memory device following load of the vehicle software.

Applicants' claimed invention is generally directed toward loading vehicle operation software and calibration data in general assembly and service environments. In particular, Applicants' claimed invention is directed toward an interface processor that is adapted to automatically recognize a portable memory device upon connection of the

memory device to the second communications port, wherein the multiple processors are adapted to automatically load vehicle software from the memory device in response to the automatic recognition, and to write non-request data to the memory device following load of the vehicle software. For example, independent claim 1, as amended, recites, "an interface processor is adapted to automatically recognize said portable memory device upon connection of said memory device to the second communications port, wherein the multiple processors are adapted to automatically load vehicle software from said memory device in response to the automatic recognition, and to write non-request data to said memory device following load of the vehicle software." Independent claim 11, as amended, recites similar subject matter. Thus, Knight et al. does not teach all of the limitations of the independent claims.

Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of independent claims 1 and 11 under 35 U.S.C. § 102(e), along with rejection on these grounds of all claims dependent therefrom.

Claims 1, 6, and 11 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Skeen et al. (U.S. Pat. No. 6,832,141). This rejection is respectfully traversed.

Skeen et al. is generally directed toward a module for monitoring vehicle operation through an onboard diagnostic port. In particular, the Examiner relies on Skeen et al. to teach a module that connects between a PC to an OBD II vehicle bus port and monitors vehicle performance during a trip. However, Skeen does not teach that an interface processor is adapted to automatically recognize a portable memory device upon connection of the memory device to the second communications port, wherein the multiple processors are adapted to automatically load vehicle software from

the memory device in response to the automatic recognition, and to write non-request data to the memory device following load of the vehicle software. Nor does Skeen teach an adapter having a control area network controller in communication with a wireless data exchange mechanism, wherein the adapter is configured to temporarily provide connectivity between the wireless data exchange mechanism and multiple processors of a vehicle by temporarily connecting the controller adjacent to the multiple processors via an alternative communications port.

Applicants' claimed invention is generally directed toward loading vehicle operation software and calibration data in general assembly and service environments. In one claimed embodiment, Applicants' claimed invention is directed toward an interface processor that is adapted to automatically recognize a portable memory device upon connection of the memory device to the second communications port, wherein the multiple processors are adapted to automatically load vehicle software from the memory device in response to the automatic recognition, and to write non-request data to the memory device following load of the vehicle software. For example, independent claim 1, as amended, recites, "an interface processor is adapted to automatically recognize said portable memory device upon connection of said memory device to the second communications port, wherein the multiple processors are adapted to automatically load vehicle software from said memory device in response to the automatic recognition, and to write non-request data to said memory device following load of the vehicle software." Independent claim 11, as amended, recites similar subject matter. In another claimed embodiment, Applicants' claimed invention is directed toward an adapter having a control area network controller in communication with a wireless data exchange

mechanism, wherein the adapter is configured to temporarily provide connectivity between the wireless data exchange mechanism and multiple processors of a vehicle by temporarily connecting the controller adjacent to the multiple processors via an alternative communications port. For example, independent claim 6, as amended, recites, "an adapter having a control area network controller in communication with said wireless data exchange mechanism, said adapter configured to temporarily provide connectivity between said wireless data exchange mechanism and the multiple processors by temporarily connecting said controller adjacent to the multiple processors via an alternative communications port." Thus, Skeen et al. does not teach all of the limitations of the independent claims.

Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of independent claims 1, 6, and 11 under 35 U.S.C. § 102(e).

**ALLOWABLE SUBJECT MATTER**

The Examiner states that claims 18 and 19 would be allowable if rewritten in independent form. The Examiner also states that claims 8 and 9 would be allowable if rewritten in independent form, with care taken to overcome the rejection under 35 U.S.C. § 112, second paragraph. Accordingly, Applicants have amended claims 8, 9, 18, and 19 to include the limitations of the base claim and any intervening claims, and have taken care to ensure that proper antecedent basis is established in the claims. Therefore, claims 8, 9, 18, and 19 should now be in condition for allowance.




## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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